

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

TROY LYNN JONES, #697666

v.

DOUG DRETKE, DIRECTOR
OF TDCJ-CID

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CIVIL ACTION NO. G-05-351

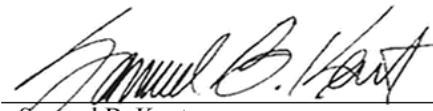
ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on June 22, 2005. Petitioner has filed his Objections to the Report and Recommendation in a timely manner.

Petitioner alleges that he did not have access to a library while he was incarcerated in the Brazoria County jail in 1991 and 1992, but not thereafter. As the Magistrate Judge points out, however, Petitioner had until April 24, 1997 to file his federal habeas writ. He provides no reason why he could not file the writ by that date. Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that Petitioner's Objections are without merit and that the Report and Recommendation should be **ACCEPTED**.

Accordingly, it is **ORDERED** that the Petition for a Writ of Habeas Corpus of Troy Lynn Jones (Instrument No. 1) is **DISMISSED WITHOUT PREJUDICE**.

DONE at Galveston, Texas this 21st day of July, 2005.



Samuel B. Kent
United States District Judge